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Standing Committee on, - 1955

HOUSE OF COMMONS

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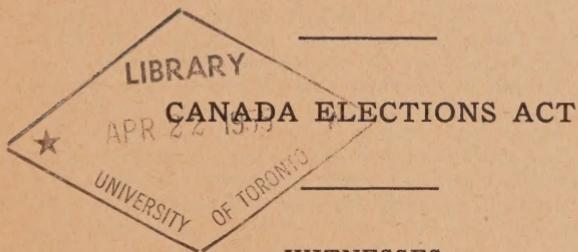
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STANDING COMMITTEE  
ON  
**PRIVILEGES AND ELECTIONS**

*Chairman: G. Roy McWILLIAM, Esq.*

MINUTES OF PROCEEDINGS AND EVIDENCE  
No. 9

THURSDAY, MARCH 31, 1955



WITNESSES:

Mr. Nelson J. Castonguay, Chief Electoral Officer; Brigadier J. W. Lawson,  
Judge Advocate General; Captain J. P. Dewis, RCN, Deputy Judge  
Advocate General.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.  
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OTTAWA, 1955.



## MINUTES OF PROCEEDINGS

House of Commons, Room 497,  
THURSDAY, March 31, 1955.

The Standing Committee on Privileges and Elections met at 10.30 o'clock a.m. The Chairman, Mr. G. Roy McWilliam, presided.

*Members present:* Messrs. Cardin, Dechene, Dickey, Fraser (*Peterborough*), Hansell, Lefrancois, MacDougall, MacKenzie, McWilliam, Meunier, Nowlan, Pallett, Perron, Pouliot, Richard (*Ottawa East*), Vincent, and Zaplitny.

*In attendance:* Mr. Nelson J. Castonguay, Chief Electoral Officer, and Mr. E. A. Anglin, Q.C., Assistant Chief Electoral Officer; Brigadier J. W. Lawson, Judge Advocate General, and Captain J. P. Dewis, R.C.N., Deputy Judge Advocate General, representing the Department of National Defence.

The Committee resumed its section by section study of the Canada Elections Act and of the proposed amendments thereto suggested by the Chief Electoral Officer, the Department of National Defence and other sources.

Mr. Nelson J. Castonguay, Chief Electoral Officer, was recalled.

It was agreed that the Committee revert to Section 54 of the Act.

On motion of Mr. Richard (*Ottawa East*),

*Resolved*—That the following amendment to the said section be recommended:

Subsection (1) of section 54 is repealed and the following substituted therefor:

54. (1) If, within four days after the date on which the returning officer has declared the name of the candidate who has obtained the largest number of votes, it is made to appear, on the affidavit of a credible witness, to the judge hereinafter described, that a deputy returning officer in counting the votes has improperly counted or improperly rejected any ballot papers or has made an incorrect statement of the number of votes cast for any candidate, or that the returning officer has improperly added up the votes, and if the applicant deposits within the said period with the clerk or prothonotary of the court to which such judge belongs the sum of one hundred dollars in legal tender or in the bills of any chartered bank doing business in Canada as security for the costs of the candidate who has obtained the largest number of votes, such judge shall appoint a time to recount the said votes, which time shall, subject to subsection (3), be within four days after the receipt of the said affidavit.

It was agreed that the said section otherwise remain unchanged.

The Committee again agreed to revert to Section 87 of the Act.

In this connection, Mr. Castonguay read extracts from the reasons for judgment by the Honourable Justices Strong and Taschereau, of the Supreme Court of Canada, in the case of Haldimand, 1888.

On motion of Mr. MacDougall,

*Resolved*,—That the following amendment to the said section be recommended:

Section 87 is repealed and the following substituted therefor:

87. (1) Subject to this section, no person shall be excused from answering any question put to him in any action, suit or other proceeding in any court or before any judge, commissioner or other tribunal touching or concerning any election or the conduct of any person thereat or in relation thereto on the ground of any privilege.

(2) The evidence of an elector to show for whom he voted at an election is not admissible in evidence in any suit, action, or other proceeding in any court or before any judge, commissioner or any tribunal touching or concerning any election, on the conduct of any person thereat, or in relation thereto.

(3) No answer given by any person claiming to be excused on the ground of privilege shall be used in any criminal proceeding against such person other than an indictment for perjury, if the judge, commissioner or president of the tribunal gives to the witness a certificate that he claimed the right to be excused on such ground, and made full and true answers to the satisfaction of the judge, commissioner or tribunal.

In accordance with its decision taken at its next preceding sitting the Committee dealt with Section 100 of the Act.

On motion of Mr. MacDougall,

*Resolved*,—That the following amendment to the said section be recommended:

(1) All that portion of subsection (1) of section 100 preceding paragraph (a) thereof is repealed and the following substituted therefor:

100. (1) Subject to this section, none of the following persons shall be appointed as election officers, that is to say:

(2) Section 100 of the said Act is further amended by adding thereto the following subsection:

(3) Paragraph (d) of subsection (1) does not apply in the electoral districts mentioned in Schedule Four, and paragraph (e) of that subsection shall not be construed to prohibit or prevent a judge from exercising the power conferred upon him by this Act.

The Committee then proceeded to a study of Schedule Three of the Act, dealing with the Canadian Forces Voting Regulations.

Brigadier Lawson and Captain Dewis were recalled and, with Mr. Castonguay remaining the chief witness, were questioned on the various amendments proposed to the said Schedule Three.

On the preamble to the *Canadian Forces Voting Regulations*.

On motion of Mr. MacDougall,

*Resolved*,—That the following amendment to the said preamble be recommended:

The preamble to *The Canadian Forces Voting Regulations* in Schedule Three to the said Act is repealed and the following substituted therefor:

To enable Canadian Forces electors, and Veteran electors receiving treatment or domiciliary care in certain hospitals or institutions, to exercise their franchise at a general election.

On Paragraph 12 of the Regulations,

On motion of Mr. Dickey,

*Resolved*,—That the following amendment to the said paragraph be recommended:

Clauses (e) and (f) of paragraph 12 are repealed and the following substituted therefor:

(e) secure from the various liaison officers a list, provided for in paragraph 26, of

(i) the names, ranks, numbers and places of ordinary residence of Canadian Forces electors, as defined in paragraph 20, and

(ii) the names of Canadian Forces electors, as defined in paragraph 20A, and the names, ranks, numbers and places of ordinary residence of their husbands;

(f) secure, through the liaison officers, a list of the name, rank and number of every deputy returning officer designated by each commanding officer to take the votes of Canadian Forces electors as provided by paragraph 30;

On Paragraph 15 of the Regulations,

On motion of Mr. MacDougall,

*Resolved*,—That the following amendment to the said paragraph be recommended:

Paragraph 15 is repealed and the following substituted therefor:

15. As soon as possible after the nominations of candidates at the general election have closed on the twenty-first day before polling day, the Chief Electoral Officer shall transmit a sufficient number of copies of a printed list of the names and surnames of the candidates officially nominated in each electoral district to every special returning officer; upon such list shall be inserted after the names and surname of each candidate the designating letters currently used to indicate his political affiliations; such designating letters shall be ascertained from the best sources of information available to the Chief Electoral Officer.

Mr. Castonguay explained that, as a sequence to the adoption by the Committee of the amendment to paragraph 15 of the Canadian Forces Voting Regulations, Sections 21 and 23 of the Canada Elections Act required to be amended.

Whereupon, on motion of Mr. Dickey, it was agreed that the following amendments to the said Sections 21 and 23 be recommended.

(1) Subsection (3) of section 21 is repealed and the following substituted therefor:

(3) The day for the close of nominations (in this Act referred to as nomination day) in the electoral districts specified in Schedule Four shall be Monday, the twenty-eighth day before polling day, and in all other electoral districts shall be Monday, the twenty-first day before polling day.

(2) Subsection (2) of section 23 is repealed and the following substituted therefor:

(2) Notice of the new day fixed for the nomination of candidates, which shall not be more than one month from the death of the candidate whose death is the cause for fixing such new day nor less than twenty days from the issue of the notice, shall be given by a

further proclamation distributed and posted up as specified in section 18, and there shall also be named by such proclamation a new day for polling, which shall, in the electoral districts specified in Schedule Four, be Monday the twenty-eighth day after the new day fixed for the nomination of candidates, and, in all other electoral districts, be Monday, the twenty-first day after the new day fixed for the nomination of candidates.

On Paragraph 17 of the Regulations,

On motion of Mr. Dickey,

*Resolved*,—That the following amendment to the said paragraph be recommended:

Paragraph 17 is repealed and the following substituted therefor:

17. The books of key maps referred to in paragraph 14 shall be used by Canadian Forces electors and Veteran electors entitled to vote in large centres in Canada to enable them to ascertain the correct electoral district in which they are qualified to vote at the general election, and the books of excerpts from the Canadian Postal Guide shall be used for the same purpose by Canadian Forces electors and Veteran electors entitled to vote in other places in Canada.

On motion of Mr. Dickey,

*Resolved*,—That the following amendment to the regulations be recommended:

The said Regulations are further amended by adding thereto immediately after paragraph 20 thereof the following paragraphs:

20A. The wife of a Canadian Forces elector, as defined in paragraph 20, who

- (a) is of the full age of twenty-one years,
- (b) is a Canadian citizen or other British subject,
- (c) is residing with her husband when he is serving outside Canada, and
- (d) is not a Canadian Forces elector, as defined in paragraph 20,

shall be deemed to be a Canadian Forces elector and is entitled to vote at a general election under the procedure set forth in these Regulations.

20B. Notwithstanding anything in these Regulations, a Canadian Forces elector who is undergoing punishment as an inmate in a service prison, detention barrack or any other penal institution for the commission of any offence or who is subject to any disqualification set out in section 14 of the Canada Elections Act, is disqualified from voting under the procedure set forth in these Regulations.

On Paragraph 21 of the Regulations,

On motion of Mr. MacDougall,

*Resolved*,—That the following amendment to the said paragraph be recommended:

Paragraph 21 is repealed and the following substituted therefor:

21. (1) Notwithstanding paragraph 20, a Canadian Forces elector, as defined in that paragraph, is not entitled to vote under the procedure set forth in these Regulations, unless he or she

- (a) completes a statement of ordinary residence as provided in paragraph 22 or subparagraph (1) of paragraph 33, and

(b) specifies in a declaration in Form No. 7 the name of the place of his or her ordinary residence in Canada as shown by the elector on the statement referred to in clause (a).

(2) Notwithstanding paragraph 20A, a Canadian Forces elector, as defined in that paragraph, is not entitled to vote under the procedure set forth in these Regulations, unless

(a) her husband has completed a statement of ordinary residence as provided in paragraph 22 or subparagraph (1) of paragraph 33, and

(b) she specifies in a declaration in Form No. 7A the name of the place of ordinary residence of her husband as shown by him on the statement referred to in clause (a).

(3) A Canadian Forces elector, as defined in paragraph 20, shall apply his or her vote only to the electoral district in which is situated his or her place of ordinary residence as shown on the statement made by such elector under paragraph 22 or subparagraph (1) of paragraph 33, and a Canadian Forces elector, as defined in paragraph 20A, shall apply her vote only to the electoral district in which is situated the place of ordinary residence of her husband as shown by him on such statement.

On Paragraph 22 of the Regulations,

On motion of Mr. MacKenzie,

Resolved,—That the Committee recommend thereto the following amendment:

(1) Subparagraph (1) of paragraph 22 is repealed.

(2) Subparagraph (3) to (7) of paragraph 22 of the said Regulations are repealed and the following substituted therefor:

(3) After the 21st day of December 1951,

(a) every person shall, forthwith upon his or her enrolment in the regular forces of the Canadian Forces, complete, in duplicate, before a commissioned officer, a statement of ordinary residence, in Form No. 16, indicating the city, town, village or other place in Canada in which was situated his or her place of ordinary residence immediately prior to enrolment; and

(b) a person, not having a place of ordinary residence in Canada immediately prior to enrolment in the regular forces of the Canadian Forces, shall complete, as soon as one or more of the provisions of subparagraph (2) become applicable to his or her circumstances, a statement of ordinary residence in Form No. 15 before a commissioned officer.

(4) A member of the regular forces may, during the month of December in any year and at no other time,

(a) except when he or she is also a member of the active service forces of the Canadian Forces, change his or her place of ordinary residence to the city, town, village or other place in Canada referred to in clause (a), (b) or (c) of subparagraph (2) by completing, in duplicate, before a commissioned officer a statement of change of ordinary residence, in Form No. 17, and

(b) if he or she has failed to complete a statement of ordinary residence mentioned in subparagraph (2) or (3), complete such statement of ordinary residence either in Form No. 15 or Form No. 16.

(5) Every member of the reserve forces of the Canadian Forces not on active service who, at any time during the period beginning on the date of the issue of writs ordering a general election and ending on the Saturday immediately preceding polling day, is on full-time training or service shall complete, in duplicate, before a commissioned officer a statement of ordinary residence in Form No. 18 indicating the city, town, village or other place in Canada where his or her place of ordinary residence was situated immediately prior to commencement of such period of full-time training or service.

(6) Every member of the reserve forces of the Canadian Forces who is placed on active service and who during a current period of full-time training or service has not completed a statement of ordinary residence pursuant to subparagraph (5) shall complete, in duplicate, before a commissioned officer a statement of ordinary residence in Form No. 18, in which will be stated

- (a) in the case of a member on full-time training or service, his or her place of ordinary residence immediately prior to the commencement of such full-time training or service; or
- (b) in the case of a member not on full-time training or service, his or her place of ordinary residence immediately prior to being placed on active service.

(7) On enrolment in the active service forces of the Canadian Forces, every person who is not a member of the regular or reserve forces shall complete, in duplicate, before a commissioned officer a statement of ordinary residence in Form No. 16 indicating the city, town, village or other place in Canada in which is situated his or her place of ordinary residence immediately prior to enrolment in the active service forces.

On Paragraph 23 of the Regulations,

On motion of Mr. Dechene,

Resolved,—That the Committee recommend thereto the following amendment:

Paragraph 23 is repealed and the following substituted therefor:

23. Every Canadian Forces elector, as defined in paragraph 20 is entitled to vote at a general election only according to the procedure set forth in these Regulations, unless such elector is, on polling day, at the place of his or her ordinary residence as shown on the statement made by the elector under paragraph 22, in which case the Canadian Forces elector may vote as a civilian elector, subject to the limitation set out in paragraph 39.

On Paragraph 24 of the Regulations,

On motion of Mr. MacDougall,

Resolved,—That the Committee recommend thereto the following amendment:

Subparagraph (3) of paragraph 24 is repealed and the following substituted therefor:

(3) The liaison officer designated in each of the respective Forces shall, immediately upon receiving notice of his appointment, communicate with the commanding officer of every unit stationed in the voting territory, stating all necessary particulars not included

in these Regulations relating to the taking of the votes of Canadian Forces electors at the general election; during the period between the issue of the writs ordering the general election and polling day thereat, the liaison officer shall cooperate with the special returning officer, the various commanding officers and deputy returning officers designated pursuant to paragraph 29 in the taking of the votes of Canadian Forces electors.

It was agreed that the said Paragraph otherwise remain unchanged.

On Paragraph 25 of the Regulations,

On motion of Mr. Dickey,

Resolved,—That the Committee recommend thereto the following amendment:

(1) Subparagraph (1) of paragraph 25 is repealed and the following substituted therefor:

25. (1) Every commanding officer shall, forthwith upon being notified by the liaison officer that a general election has been ordered in Canada, publish as part of Daily Order a notice in Form No. 5 informing all Canadian Forces elector under his command that a general election has been ordered in Canada and shall therein state the date fixed for polling day; it shall also be stated in such notice that every Canadian Forces elector may cast his vote before any deputy returning officer designated by the commanding officer for that purpose during such hours as may be fixed by the commanding officer, not less than three each day, of the six days from Monday the seventh day before polling day to the Saturday immediately preceding polling day, both inclusive; the commanding officer shall afford all necessary facilities to Canadian Forces electors attached to his unit, and to the wives of such electors who are Canadian Forces electors, as defined in paragraph 20A, to cast their votes in the manner prescribed in these Regulations.

(2) All that portion of subparagraph (2) of paragraph 25 preceding clause

(a) thereof is repealed and the following substituted therefor:

(2) On at least three days before the period fixed for voting by Canadian Forces electors as provided in subparagraph (1) and on every day on which such voting takes place, every commanding officer shall publish in Daily Orders, with the necessary modifications, a notice stating

On Paragraph 26 of the Regulations,

On motion of Mr. Dickey,

Resolved,—That the following amendment to the said paragraph be recommended:

Paragraph 26 is repealed and the following substituted therefor:

26. Within two weeks after the publication of a notice in Daily Orders, in Form No. 5, each commanding officer shall, through the liaison officer, furnish to the special returning officer for the appropriate voting territory, a list of

(a) the names, ranks, numbers and places of ordinary residence, as shown on the statements made under paragraph 22, of Canadian Forces electors, as defined in paragraph 20, attached to his unit, and

- (b) the names of Canadian Forces electors, as defined in paragraph 20A, who are married to Canadian Forces electors described in clause (a), and the names, ranks, numbers and places of ordinary residence, as shown on the statements made under paragraph 22, of their husbands;

the commanding officer shall also furnish to the deputy returning officer a copy of such list for the taking of the votes of the Canadian Forces electors described in clauses (a) and (b); at any reasonable time during an election, such list and the statements referred to in paragraph 22 shall be open to inspection by any officially nominated candidate or his accredited representative and such persons shall be permitted to make extracts therefrom.

On Paragraph 27 of the Regulations,

On motion of Mr. MacDougall,

*Resolved*.—That the Committee recommend that the said Paragraph be amended as follows:

Paragraph 27 is repealed and the following substituted therefor:

27. (1) Every Canadian Forces elector, as defined in paragraph 20, undergoing treatment in a Service hospital or convalescent institution during the period prescribed in subparagraph (1) of paragraph 25 for the taking of the votes of Canadian Forces electors at a general election, shall be deemed to be a member of the unit under the command of the officer in charge of such hospital or convalescent institution, and a Canadian Forces elector, as defined in paragraph 20A, whose husband is in such hospital or institution may vote at the place where her husband may vote or at the place where he could have voted before he went in such hospital or institution.

(2) Whenever deemed advisable by the deputy returning officer who is authorized under these Regulations to take the votes at a Service hospital or convalescent institution, he shall, with the approval of the officer commanding such hospital or institution, go from room to room to take the votes of the bed-ridden Canadian Forces electors.

(3) If a deputy returning officer is not appointed specifically for a Service hospital or convalescent institution, the deputy returning officer appointed for the unit to which such hospital or institution belongs may take the votes of Canadian Forces electors confined in such hospital or institution.

On Paragraph 28 of the Regulations

On motion of Mr. MacKenzie,

*Resolved*.—That the Committee recommend that the said Paragraph be amended as follows:

Paragraph 28 is repealed and the following substituted therefor:

28. Forthwith upon receiving the supplies mentioned in paragraph 19, the commanding officer shall distribute such supplies in sufficient quantities to every deputy returning officer designated by him to take the votes of Canadian Forces electors; the commanding officer shall also cause copies of the printed list of names and surnames of candidates to be posted up on the bulletin boards of his unit and in other conspicuous places.

On Paragraph 29 of the Regulations

On motion of Mr. Dickey,

*Resolved*,—That an amendment thereto be recommended as follows:

Paragraph 29 is repealed and the following substituted therefor:

29. The vote of every Canadian Forces elector shall be cast before a Canadian Forces elector, as defined in paragraph 20, who has been designated by a commanding officer to act as a deputy returning officer.

On Paragraph 32 of the Regulations

On motion of Mr. Dickey,

*Resolved*,—That the following amendment to Sub-paragraph (1) thereof be recommended:

Subparagraphs (1) and (2) of paragraph 32 are repealed and the following substituted therefor:

32. (1) Any Canadian citizen, other than a member of the Canadian Forces, may upon delivering to the deputy returning officer who is taking the votes of Canadian Forces electors a declaration, in Form No. 10, completed and signed by a candidate at a general election, act as a representative of the political group to which the candidate belongs at the taking of such votes.

It was agreed that the said Paragraph otherwise remain unchanged.

On Paragraph 33 of the Regulations

On motion of Mr. Dechene,

*Resolved*,—That the Committee recommend that the said Paragraph be amended as follows:

(1) Subparagraph (1) of paragraph 33 is repealed and the following substituted therefor:

33. (1) Before delivering a ballot paper to a Canadian Forces elector, as defined in paragraph 20, the deputy returning officer before whom the vote is to be cast shall require such elector to make a declaration, in Form No. 7, which shall be printed on the back of the outer envelope in which the inner envelope containing the ballot paper, when marked, is to be placed, such declaration to state such Canadian Forces elector's name, rank and number, that he is a Canadian citizen or other British subject, that he has attained the full age of twenty-one years (except in the case referred to in subparagraph (2) of paragraph 20), that he has not previously voted at the general election, and the name of the place in Canada, with street address, if any, of his ordinary residence as shown on the statement made by him under paragraph 22, or, if no such statement appears to have been made, he shall subscribe to a statement, in Form No. 16, if he is a member of the regular forces, or in Form No. 18, if he is a member of the reserve forces, before a commissioned officer or a deputy returning officer, and the place of ordinary residence to be declared in Form No. 7 shall be the place of ordinary residence shown on Form No. 16 or Form No. 18; the name of the electoral district and of the province in which such place of ordinary residence is situated may be stated in such declaration in Form No. 7; the deputy returning officer shall cause such Canadian Forces elector to affix his signature to the said declaration, and the certificate printed thereunder shall then be completed and signed by the deputy returning officer.

(1a) Before delivering a ballot paper to a Canadian Forces elector, as defined in paragraph 20A, the deputy returning officer before whom the vote is to be cast shall require such elector to make a declaration, in Form No. 7A, which shall be printed on the back of the outer envelope in which the inner envelope containing the ballot paper, when marked, is to be placed, such declaration to state such Canadian Forces elector's name and the name, rank and number of her husband, that she is a Canadian citizen or other British subject, that she has attained the full age of twenty-one years, that she has not previously voted at the general election, and the name of the place in Canada, with a street address, if any, of the ordinary residence of her husband as shown on the statement made by him under paragraph 22 or subparagraph (1) of this paragraph; the name of the electoral district and of the province in which such place of ordinary residence is situated may be stated in such declaration in Form No. 7A; the deputy returning officer shall cause such Canadian Forces elector to affix her signature to the said declaration, and the certificate printed thereunder shall then be completed and signed by the deputy returning officer.

(2) Subparagraph (6) of paragraph 33 is repealed and the following substituted therefor:

(6) The original of each statement of ordinary residence completed pursuant to this paragraph shall be forwarded to and filed at the appropriate service Headquarters and the duplicate shall be retained in the unit with the declarant's service documents.

It was agreed that the said Paragraph otherwise remain unchanged.

On Paragraph 34 of the Regulations

On motion of Mr. MacKenzie,

*Resolved*.—That the following amendment to the said Paragraph be recommended:

Paragraph 34 is repealed and the following substituted therefor:

34. After a Canadian Forces elector has completed and signed a declaration in Form No. 7 or Form No. 7A and the deputy returning officer has completed and signed the certificate printed thereunder, as prescribed in subparagraphs (1) and (1a) of paragraph 33, the deputy returning officer shall hand a ballot paper to such elector, who shall cast his vote secretly by writing thereon, with ink or with a pencil of any colour, the names (or initials) and surname of the candidate of his choice; the ballot paper shall then be folded by the Canadian Forces elector; when this has been done, the deputy returning officer shall hand an inner envelope to the Canadian Forces elector, who shall place the ballot paper so folded in the inner envelope, seal such inner envelope and hand it to the deputy returning officer, who shall, in full view of the Canadian Forces elector, place it in the outer envelope addressed to the special returning officer, seal the said outer envelope and hand it to the Canadian Forces elector.

On Paragraph 35 of the Regulations

On motion of Mr. Lafrancois,

*Resolved*,—That the following amendments to the said Paragraph be recommended:

(1) Subparagraph (1) of paragraph 35 is repealed and the following substituted therefor:

35. (1) When, under paragraph 34, the deputy returning officer before whom the vote of a Canadian Forces elector has been cast hands the outer envelope containing the ballot paper to the Canadian Forces elector, the Canadian Forces elector shall forthwith despatch it by ordinary mail or by such other facilities as may be available and expeditious to the special returning officer whose name and address has been printed on the face of the outer envelope.

(2) Subparagraph (4) of paragraph 35 of the said Regulations is repealed and the following substituted therefor:

(4) Every commanding officer shall, whenever possible, provide that the voting place established for taking the votes of Canadian Forces electors shall be located in close proximity to a post office, mail box or other receptacle provided for mail; the deputy returning officer before whom a Canadian Forces elector has cast his vote shall direct such elector to the nearest post office, mail box or other receptacle provided for mail from which outer envelopes may be despatched to the special returning officer.

It was agreed that the said Paragraph otherwise remain unchanged.

On Paragraph 39 of the Regulations

On motion of Mr. Dickey,

*Resolved*,—That the following amendments to the said Paragraph be recommended:

(1) Subparagraphs (1) and (2) of paragraph 39 are repealed and the following substituted therefor:

39. (1) A member of the Canadian Forces who

(a) has completed a statement of ordinary residence as provided in paragraph 22, and

(b) has not voted under the procedure set forth in these Regulations, may cast his vote at the place of his ordinary residence as shown on such statement in the manner prescribed in the *Canada Elections Act* for civilian electors; but nothing in this subparagraph shall be deemed to entitle a Canadian Forces elector to vote in an urban polling division unless his name appears on the official list of electors used at the poll.

(2) A Canadian Forces elector, as defined in paragraph 20, who is absent from his unit, on duty, leave or on furlough, during the voting period prescribed in subparagraph (1) of paragraph 25, may, on production of documentary proof that he is on duty, leave or on furlough, cast his vote elsewhere before any deputy returning officer, when such person is actually engaged in the taking of such votes, and a Canadian Forces elector, as defined in paragraph 20A, who is accompanying her husband during such absence may on producing documentary proof of her identity cast her vote at the same place as her husband.

On Paragraph 41 of the Regulations

On motion of Mr. Lafrancois,

*Resolved*,—That the following amendment to the said Paragraph be recommended:

The heading preceding paragraph 41 is repealed and the following substituted therefor:

Procedure for taking the votes at a general election of veterans of the war 1914-1918 and the war that began on the 10th day of September, 1939, and of veterans who served on active service subsequent to the 9th day of September, 1950, who are receiving treatment or domiciliary care in certain hospitals or institutions.

It was agreed that the said Paragraph otherwise remain unchanged.

On Paragraph 65 of the Regulations

On motion of Mr. Lafrancois,

*Resolved*,—That the following amendment to the said Paragraph be recommended:

Paragraph 65 is repealed and the following substituted therefor:

65. Paragraphs 20 to 40 and Forms Nos. 5, 7, 9, 10 and 14 to 18 do not apply to the taking of the votes of Veteran electors.

On Paragraph 84 of the Regulations

On motion of Mr. Dickey,

*Resolved*,—That the following amendments to the said Paragraph be recommended:

Clauses (d) and (e) of paragraph 84 are repealed and the following substituted therefor:

(d) makes any untrue statement in the declaration in Form No. 7 or Form No. 7A signed by him or her before a deputy returning officer or, in the case of a Veteran elector in Form No. 12 signed by him before two deputy special returning officers; or

(e) makes any untrue declaration in the statement of ordinary residence completed pursuant to paragraph 22 or subparagraph (1) of paragraph 33;

It was agreed that the said Paragraph otherwise remain unchanged.

On Paragraph 87 of the Regulations

On motion of Mr. Dickey,

*Resolved*,—That the following amendment to the said Paragraph be recommended:

Paragraph 87 is repealed and the following substituted therefor:

87. Where a candidate withdraws during the period between nomination day and three days before polling day, the Chief Electoral Officer shall, by the most expeditious means, notify every special returning officer of such withdrawal; the special returning officer shall forthwith so notify every commanding officer stationed in his voting territory and every deputy special returning officer who has been appointed to take the votes of Veteran electors in such voting territory; the commanding officer shall, as much as possible, notify every deputy returning officer designated by him to take the votes of Canadian Forces electors of such

withdrawal, and such deputy returning officer or the deputy special returning officers shall inform the Canadian Forces electors or Veteran electors concerned as to the name of the candidate who has withdrawn when such electors are applying to vote; any votes cast by Canadian Forces electors or Veteran electors for a candidate who has withdrawn are null and void.

On Form No. 5 of the said Regulations,

On motion of Mr. Lafrançois,

*Resolved*,—That the following amendment to the said Form be recommended:

Form No. 5 is repealed and the following substituted therefor:

“FORM No. 5

Notice to Canadian Forces Electors that a General Election has been ordered in Canada. (Par. 25)

Notice is hereby given that writs have been issued, ordering that a general election be held in Canada, and that the date fixed as polling day is.....  
..... the ..... day of ....., 19.....

Notice is further given that, pursuant to The Canadian Forces Voting Regulations, all Canadian Forces electors, as defined in paragraph 20 of the said Regulations, \* and the wives of such Canadian Forces electors residing with their husbands outside Canada \* are entitled to vote at such general election upon application to any deputy returning officer designated for the purpose of taking such votes.

\*NOTE: Strike out the words between astericks when the unit is stationed in Canada.

And that voting by Canadian Forces electors will take place on each of the six days from Monday, the.....day of....., 19...., to Saturday, the ..... day of ....., 19...., both inclusive.

And that a notice giving the exact location of each voting place established in the unit under my command, together with the hours fixed for voting on each day in such voting places, will be published in Daily Orders during the whole of the above mentioned voting period.

Given under my hand at....., this.....day

of ....., 19....

.....  
Commanding officer

On Form No. 7 of the said Regulations,

On motion of Mr. Dickey,

*Resolved*.—That the following amendments to the said Form be recommended:

- (1) Form No. 7 is amended by striking out the heading

“FORM No. 7

Declaration to be made by a Canadian Forces elector before being allowed to vote. (Par. 33)”

and substituting therefor the heading

“FORM No. 7

Declaration to be made by a Canadian Forces elector, as defined in paragraph 20 of the Canadian Forces Voting Regulations, before being allowed to vote. (Par. 33)”

- (2) Paragraph 7 of Form No. 7 is repealed and the following substituted therefor:

7. That the place of my ordinary residence in Canada, as shown on the statement made by me under paragraph 22 or subparagraph (1) of paragraph 33 of *The Canadian Forces Voting Regulations*, is

.....  
*(Here insert the name of the city, town, village or*

.....  
*other place in Canada, with street address, if any)*

.....  
*(Here insert name of electoral district)*

.....  
*(Here insert name of province)*

On motion of Mr. Dickey,

*Resolved*.—That the following amendment to the said Regulations be recommended:

The said Regulations are further amended by adding thereto immediately after Form No. 7 thereto the following form:

“FORM No. 7A

Declaration to be made by a Canadian Forces elector, as defined in paragraph 20A of the Canadian Forces Voting Regulations, before being allowed to vote. (Par. 33)

I hereby declare

1. That my name is.....  
*(Insert full name, surname last)*

2. That my husband's name is.....  
(Insert full name of husband, surname last)
3. That his rank is.....
4. That his number is.....
5. That I am a Canadian citizen or other British subject.
6. That I have attained the full age of twenty-one years.
7. That I have not previously voted as a Canadian Forces elector at the pending general election.
8. That the place of my husband's ordinary residence in Canada as shown by him on the statement made under paragraph 22 or subparagraph (1) of paragraph 33 of The Canadian Forces Voting Regulations is.....  
(Here

.....  
insert the name of the city, town, village or other place in Canada, with street address, if any)

.....  
(Here insert name of electoral district)

.....  
(Here insert name of province)

I hereby declare that the above statements are true in substance and in fact.

Dated at....., this..... day of.....  
..... 19.....

.....  
Signature of wife of Canadian Forces  
elector

Certificate of Deputy Returning Officer

I hereby certify that the above named Canadian Forces elector did this day make before me the above set forth declaration.

.....  
Signature of deputy returning officer

.....  
(Here insert rank, number, and name  
of unit)"

On Form 9 to the Regulations.

On motion of Mr. Dickey.

*Resolved*—That the following amendments to the said Form be recommended:

(1) Paragraph 1 of Form No. 9 is repealed and the following substituted therefor:

1. A Canadian Forces elector, \*including the wife of a Canadian Forces elector residing with her husband outside Canada,\* is entitled to vote for the candidate of his choice, officially nominated in the electoral

district in which is situated the place of his ordinary residence as shown on the statement made by him under paragraph 22 of subparagraph (1) of paragraph 33 of The Canadian Forces Voting Regulations.

\*Strike out the words between asterisks where the unit is stationed in Canada.

(2) Paragraph 11 of Form No. 9 is repealed and the following substituted therefor:

11. The Canadian Forces elector shall then mail the completed outer envelope in the nearest post office, mail box, or by such other facilities as may be available and expeditious.

On Form No. 10 to the Regulations.

On motion of Mr. Dickey.

*Resolved*—That the following amendment to the said Form be recommended:

Form No. 10 is repealed and the following substituted therefor:

"FORM No. 10

DECLARATION NOMINATING REPRESENTATIVE OF  
POLITICAL GROUP. (Par. 32)

To the deputy returning officer designated to take the votes of Canadian Forces electors at .....

Pursuant to the provisions of paragraph 32 of The Canadian Forces Voting Regulations, I hereby declare that ..... is nominated to represent the interests of ..... political party during the taking of the votes of Canadian Forces electors in the above mentioned voting place.

Given under my hand at ....., this ..... day of ..... , 19.....

.....  
.....  
Candidate in the  
Electoral District of ....."

On Form Nos. 14 to 18 of the Regulations.

On motion of Mr. Dickey.

*Resolved*—That the following amendment to the said Forms be recommended:

Forms Nos. 14 to 18 are repealed and the following substituted therefor:

"FORM No. 18

AFFIDAVIT OF QUALIFICATION. (Par. 33(3))

I, the undersigned, do swear (or solemnly affirm)

1. That my name is.....  
(Insert full name, surname last)

\*2. That my husband's name is.....  
 , (Insert full name of husband, surname last)

3. That my (his) rank is.....

4. That my (his) number is.....

5. That I am a Canadian citizen or other British subject.

†6. That I have attained the full age of twenty-one years.

7. That I have not previously voted as a Canadian Forces elector at the pending general election.

8. That the place of my (husband's) ordinary residence in Canada, as shown on the statement made by me (him) under paragraph 22 or subparagraph (1) of paragraph 33 of The Canadian Forces Voting Regulations,

is .....

(Here insert name of the city, town, village or other place in Canada, with street address, if any)

.....  
 (Here insert name of electoral district)

.....  
 (Here insert name of province)

SWORN (or affirmed) before  
 me at .....  
 this ..... day of .....  
 19..... }  
 ..... } Signature of Canadian Forces elector.

Deputy returning officer.

\*Strike out this line except in the case of Canadian Forces elector, as defined in paragraph 20A.

†Strike out this line if it is not applicable pursuant to paragraph 20(2) of The Canadian Forces Voting Regulations.

"FORM No. 15.

STATEMENT OF ORDINARY RESIDENCE. (Par. 22 (2), (3) (b), (4) (b).)

(Only applicable to members of the regular forces enrolled on or prior to June 21, 1952.)

I HEREBY DECLARE

That my name is.....

that my age is....., that my rank is.....

and that my number is.....

THAT the place of my ordinary residence in Canada, as prescribed in paragraph 22 of *The Canadian Forces Voting Regulations*, is .....

.....  
*(Insert name of city, town, village or other place in Canada,  
with street address, if any, and province)*

I HEREBY DECLARE that what is stated above is true in substance and in fact.

Dated at ..... , this ..... day  
of ..... , 19.....

.....  
*Signature of member of the regular forces.*

CERTIFICATE OF COMMISSIONED OFFICER.

I HEREBY CERTIFY that the above mentioned member of the regular forces of the Canadian Forces, on the date stated above, did make before me the above set forth declaration.

.....  
*Signature of commissioned officer.*

.....  
*(Insert rank, number and name of unit)*

FORM No. 16.

STATEMENT OF ORDINARY RESIDENCE ON ENROLMENT.

(Par. 22 (3) (a), (4) (b) and (7) and par. 33 (1).)

(Applicable to regular force members on enrolment subsequent to June 21, 1952, to persons on enrolment in the active service forces and to persons required to complete this Form pursuant to paragraph 33 (1).)

I HEREBY DECLARE

That my name is.....,

that my age is....., that my rank is.....,

and that my number is .....

THAT my place of ordinary residence in Canada immediately prior to the date of my enrolment, as prescribed in paragraph 22 of *The Canadian Forces Voting Regulations*, was .....

.....  
*(Insert name of city, town, village or other place in Canada,  
with street address, if any, and province)*

I HEREBY DECLARE that what is stated above is true in substance and in fact.

Dated at ..... , this ..... day  
of ..... , 19.....

*Signature of member of the regular forces or active service forces.*

**CERTIFICATE OF COMMISSIONED OFFICER OR OF DEPUTY RETURNING OFFICER.**

I HEREBY CERTIFY that the above mentioned member of the regular forces or the active service forces of the Canadian Forces, on the date stated above, did make before me the above set forth declaration.

.....  
*Signature of commissioned officer or of deputy returning officer.*

.....  
*(Insert rank, number and name of unit)*

**FORM NO. 17.**

**STATEMENT OF CHANGE OF ORDINARY RESIDENCE. (Par. 22 (4) (a).)**

(Only applicable to regular force members who are not members of an active service force.)

I HEREBY DECLARE

THAT my name is ..... , that my age is ..... ,  
that my rank is' ..... and that my number is .....

THAT the place of my ordinary residence in Canada, as prescribed in paragraph 22 of *The Canadian Forces Voting Regulations*, is now .....

.....  
*(Insert name of city, town, village or other place in Canada,*

.....  
*with street address, if any, and province)*

I HEREBY DECLARE that what is stated above is true in substance and in fact.

Dated at ..... , this ..... day  
of ..... , 19.....

.....  
*Signature of member of the regular forces.*

**CERTIFICATE OF COMMISSIONED OFFICER.**

I HEREBY CERTIFY that the above mentioned member of the regular forces of the Canadian Forces, on the date stated above, did make before me the above set forth declaration.

.....  
*Signature of commissioned officer.*

.....  
*(Insert rank, number and name of unit).*

## FORM No. 18

STATEMENT OF ORDINARY RESIDENCE. (Par. 22 (5) and (6) and par. 33 (1.))  
(Applicable to members of the reserve forces on full-time training or service  
not on active service during period commencing on date of ordering of  
general election, or on being placed on active service, and to persons  
required to complete this Form pursuant to paragraph 33 (1.))

## I HEREBY DECLARE

THAT my name is ..... , that my age is .....,  
that my rank is ..... and that my number is .....

THAT my place of ordinary residence in Canada immediately prior  
to:

the commencement of my current continuous period of full-time  
training or service/and active service

OR

being placed on active service not immediately preceded by a period  
of full-time training or service,

as prescribed in paragraph 22 of *The Canadian Forces Voting Regulations*, is

.....  
(Insert name of city, town, village or other place in Canada,  
.....  
with street address, if any, and province)

I HEREBY DECLARE that what is stated above is true in substance and in  
fact.

Dated at ..... , this ..... day  
of ..... , 19.....

.....  
Signature of member of reserve forces.

CERTIFICATE OF COMMISSIONED OFFICER OR OF DEPUTY RETURNING OFFICER.

I HEREBY CERTIFY that the above mentioned member of the reserve forces  
of the Canadian Forces, on the date stated above, did make before me the  
above set forth declaration.

.....  
Signature of commissioned officer or of deputy returning  
officer.

.....  
(Insert rank, number and name of unit)

The Committee then reverted to Paragraph 4 of the said Regulations.

On motion of Mr. Lefrançois,

*Resolved*,—That the following amendment to the said Paragraph be recommended:

1. Clause (j) of paragraph 4 is repealed and the following substituted therefor:

(j) "outer envelope" means the envelope provided for the transmission by mail of the ballot paper (after such ballot paper has been marked and enclosed in the inner envelope) of a Canadian Forces elector or a Veteran elector to the appropriate special returning officer, which envelope has been printed as follows: on the face with the full name and post office address of such special returning officer, and on the back with a blank declaration in Form No. 7, Form No. 7A or Form No. 12;

It was agreed that the said paragraph otherwise remain unchanged.

At 12.30 o'clock p.m., the Committee adjourned to the call of the Chair.

ANTOINE CHASSÉ,

*Clerk of the Committee.*



## EVIDENCE

MARCH 31, 1955.  
10.30 a.m.

The CHAIRMAN: Gentlemen we have a quorum and we will proceed. We shall take up section 54 (1) which was stood over. You all have a copy of the proposed amendments there. I will ask the chief electoral officer to comment on them.

Mr. Nelson J. Castonguay, Chief Electoral Officer, Called:

The WITNESS: I was asked to clarify the provisions of subsection (1) of section 54 so that no judge will interpret it in such a manner that he will only set the time for a recount within the four days after he receives an affidavit for the recount. It was pointed out at our last meeting there were two different interpretations of that section—it could mean that a judge was obliged to appoint a time for a recount within four days, that is, that the recount must be commenced within four days, or that the time should be set within the four days as to when the recount was to be held at some future time. The proposed amendment reads as follows:

54. (1) If, within four days after the date on which the returning officer has declared the name of the candidate who has obtained the largest number of votes, it is made to appear, on the affidavit of a credible witness, to the judge hereinafter described, that a deputy returning officer in counting the votes has improperly counted or improperly rejected any ballot papers or has made an incorrect statement of the number of votes cast for any candidate, or that the returning officer has improperly added up the votes, and if the applicant deposits within the said period with the clerk or prothonotary of the court to which such judge belongs the sum of one hundred dollars in legal tender or in the bills of any chartered bank doing business in Canada as security for the costs of the candidate who has obtained the largest number of votes, such judge shall appoint a time to recount the said votes, which time shall, subject to subsection (3), be within four days after the receipt of the said affidavit.

Mr. HANSELL: Is it felt that the four days are sufficient?

The WITNESS: It is sufficient. He does not have to complete the recount in the four days. He must commence it in those four days.

Mr. FRASER (*Peterborough*): I notice it says here "or in the bills of any chartered bank doing business in Canada". They have all been called in. There are no bills now.

The CHAIRMAN: It says "all".

Mr. FRASER (*Peterborough*): Yes, but there are no bills now. You never see one.

The CHAIRMAN: What if someone produces some bills out of an old sock?

Mr. NOWLAN: I had an old fellow die last year who had a large sum of Bank Bills in an old sock.

The CHAIRMAN: Shall section 54, subsection (1) as amended carry?  
Carried.

The CHAIRMAN: Moved by Mr. Richard.

Turning to section 87, on page 107. The chief electoral officer was asked to review the law in connection with this section.

The WITNESS: From 1874 until 1934 there was a section in the Act with the following provision:

"Any person who has voted at an election shall not in any legal proceeding be required to state for whom he voted." From 1874 to 1900 there was a similar provision in the Canada Election Act to the present section 87. The only exception was that the words in the sixth line "except that no elector shall be obliged to state for whom he voted in any election" were not included. In 1900 those words were included and this section 87 has been the same since 1900. However, in 1934 in the consolidation of the Act the separate provision which I read was dropped, and section 87 reads as follows:

No person shall be excused from answering any question put to him in any action, suit or other proceeding, in any court, or before any judge, commissioner or other tribunal touching or concerning any election, or the conduct of any person therat, or in relation thereto, on the ground of any privilege, except that no elector shall be obliged to state for whom he voted at any election; but no answer given by any person claiming to be excused on the ground of privilege shall be used in any criminal proceeding against such person other than an indictment for perjury, if the judge, commissioner or president of the tribunal gives to the witness a certificate that he claimed the right to be excused on such ground, and made full and true answers to the satisfaction of the judge, commissioner or tribunal.

Mr. Nowlan, the other day, referred to the Haldimand case and I have a judgment here which the committee may wish me to read. The judgment is by Judge Strong of the Supreme Court of Canada and it reads as follows:

Another case is charge No. 6 in the notice of appeal, viz.:

The charge that the deputy returning officer at polling sub-division No. 2 in the township of Oneida, improperly marked ballots received by him at the said election, from electors before depositing the said ballots in the ballot box, and thereby prevented the said ballots from being counted at the said election, and the ruling of the learned judge, rejecting the evidence on behalf of the petitioner which was tendered by him at the trial in support of the said charge.

Nothing could be made of this charge without admitting the evidence of voters to show how they voted. This I hold cannot be done. To do so would, in my opinion, be a direct violation of the act which requires secrecy. Sec. 7, of the Dominion Elections Act, enacts:

No person who has voted at an election shall, in any legal proceeding questioning the election or return, be required to state for whom he voted.

It is no answer to this to say that secrecy is imposed for the benefit of the voter and that he can waive it, for I hold secrecy to be imposed as an absolute rule of public policy, and that it cannot be waived. The whole purview of the law is different from the English act and from the Ontario act. I am of opinion, therefore, that the learned judge rightly rejected the evidence though I may not be able to agree with the grounds he put it upon.

Judge Taschereau on the same matter gave the following judgment:

The evidence of thirty-six voters to show that they had voted for Colter at polling division, No. 2, Oneida, was properly held not admissible by the learned judge at the trial.

Had the learned judge permitted the enquiry to have been prosecuted as the petitioner desired, it would have in effect disclosed not merely how those willing to tell had voted, but practically how every man at the poll had voted, because if out of one hundred votes fifty are found to have voted for A and fifty for B and the fifty who voted for A. are called and expressing their willingness to tell, do tell that they voted for him, it at once becomes known who the fifty were who voted for B., although they may be most unwilling that that fact should be disclosed. It would be interfering, therefore, with the overriding principle prevailing throughout the Ballot Act, and which embodies a great public policy, had the learned judge permitted the evidence to be given.

The evidence tendered by the petitioner to prove that a certain number of farmers' sons who had voted had no right to vote was also properly declared inadmissible.

I think this is the judgment which Mr. Nowlan referred to, and I understand that Mr. Nowlan wished to have this section clarified either so that the elector, if he so wished, may be able to state, before the court, for whom he voted, or, to the extent that the words should be put into this section, to say that this evidence is not admissible.

Mr. NOWLAN: The matter was very confusing, Mr. Chairman, and I thought that the statute should make it clear, one way or the other, and it seems now he will not be obliged to answer. At least two judges suggested that the next time this Act came up for consideration I should bring it before the committee. I have no views on it one way or the other. If that came up in a court today, the Section of the Act would mean that a man could say for whom he voted if he wanted to whereas the court has said he could not. As I say, at least two judges have suggested I should bring this matter up, but I have no views on it one way or the other.

The WITNESS: I have prepared an amendment if the committee would like to consider it. The amendment is made in such a manner that the evidence is not admissible in evidence.

Section 87 of the said Act is repealed and the following substituted therefor:

87. (1) Subject to this section, no person shall be excused from answering any question put to him in any action, suit or other proceeding in any court or before any judge, commissioner or other tribunal touching or concerning any election or the conduct of any person thereto or in relation thereto on the ground of any privilege.

(2) The evidence of an elector to show for whom he voted at an election is not admissible in evidence in any suit, action, or other proceeding in any court or before any judge, commissioner or any tribunal touching or concerning any election, on the conduct of any person thereto, or in relation thereto.

(3) No answer given by any person claiming to be excused on the ground of privilege shall be used in any criminal proceeding against such person other than an indictment for perjury, if the judge, commissioner or president of the tribunal gives to the witness a certificate that he claimed the right to be excused on such ground, and made full and true answers to the satisfaction of the judge, commissioner or tribunal.

The CHAIRMAN: We shall distribute copies of the proposed amendment.

Mr. NOWLAN: I take it this will clarify the situation. I want the matter settled one way or the other.

The WITNESS: The key amendment is subsection (2) of section 87 subsection (1) and subsection (3) are substantially the same. The amendment has been made in subsection (2) of section 87.

Mr. NOWLAN: And that makes it clear?

The CHAIRMAN: Have all members got a copy of this proposed amendment?

Mr. NOWLAN: That embodies the common law the way it was laid down in the Supreme Court of Canada.

Mr. MACDOUGALL: I move the amendment be accepted.

The CHAIRMAN: Moved that 87 as amended carry.

Carried.

The CHAIRMAN: Section 100.

The WITNESS: I was asked by the committee to prepare an amendment to enable ministers, priests or ecclesiastics of any faith to act as election officers in electoral districts mentioned in schedule 4 of the Act. The amendment before you will achieve that.

(1) All that portion of subsection (1) of section 100 of the said Act preceding paragraph (a) thereof is repealed and the following substituted therefor:

100. (1) *Subject to this section, none of the following persons shall be appointed as election officers, that is to say:*

(2) Section 100 of the said Act is further amended by adding thereto the following subsection:

(3) Paragraph (d) of subsection (1) does not apply in the electoral districts mentioned in Schedule Four, and paragraph (e) of that subsection shall not be construed to prohibit or prevent a judge from exercising the power conferred upon him by this Act.

*The Chairman:*

Shall section 100 as amended carry?

Moved by Mr. MacDougall that the section as amended carry.

Carried.

The CHAIRMAN: Sections 94, 95, 96 and 97 are stood over to await Mr. Zaplitny's amendment. He is not here this morning. If it is agreeable to the committee we will proceed with the draft amendment to the forces voting regulations. You all have copies of the draft amendments? There is a mimeographed draft, and also draft amendments here in the printed form. I think all members have a copy of each.

The WITNESS: This mimeographed draft is submitted by the Department of National Defence and the pertinent amendments in the printed draft are incorporated therein. There are some amendments in the draft amendments submitted by the Department of National Defence which do not appear in my draft amendments.

The CHAIRMAN: To explain any points which may arise, we have Brigadier Lawson and Captain Dewis from the Department of National Defence. Do you wish to make a statement now, Captain Dewis?

Captain DEWIS: Brigadier Lawson made a lengthy statement last week, and I do not think I have anything to add to it.

The CHAIRMAN: Shall we turn to page 23 of the printed draft amendments?

Mr. NOWLAN: Before we start, I take it that the regulations which appear now in the Act differ in some respects from the new copy of the regulations?

The WITNESS: Yes, as the revised statutes came into force on September 15, 1953, and the copy you have was printed before and is now obsolete.

The CHAIRMAN: Clause 28.

Mr. MACDOUGALL: Can you make it clear what section we are dealing with, and where it is on the draft?

The CHAIRMAN: It is among the printed draft amendments. One is printed. The other is mimeographed. Page 23, clause 28.

The WITNESS: This is an amendment to restore it to its former form.

The CHAIRMAN: Has everybody found the page in the printed amendments?

Moved by Mr. MacDougall that the said Clause 28 dealing with the preamble be adopted.

Carried.

The WITNESS: Clause 29. An amendment is necessary in this clause—subclause (e) of 29, because we wish to include the words "and place of ordinary residence." And also in clause 26 of the statute. The only change in clause 29 are the words underlined. In sub-paragraph (f) the commanding officer supplies to the returning officer the names, ranks, numbers and "places of ordinary residence" and the words "deputy returning officer" are substituted for commissioned officers.

*By Mr. Nowlan:*

Q. Is there any machinery by which you can make lists available to the candidates? Is there the operative machinery to do that as it works now?—A. There is no statutory operative machinery. I understand at the last election lists were made available to the scrutineers in the office of the special returning officer, and in turn the scrutineers made it available to the parties they represented. The Department of National Defence did that of their own volition. The list may be examined by the candidates, if there happens to be a military establishment in a candidate's electoral district. The list is then available because you are able to put an agent into the service voting place.

Q. At the moment he would not be able to check the list.—A. He would have to have somebody in Halifax check the list for him in the office of the special returning officer. The arrangement made last time was that additional copies of the lists were run off and supplied to the scrutineers. There are 6 of them in each voting territory, two nominated by the leader of the opposition, one nominated by each political group in the House having a membership of ten members and two nominated by the leader of the Government. These lists were supplied to the scrutineers for transmission to the candidates who were interested in them.

The CHAIRMAN: Shall the clause carry?

Carried.

Mr. PALLETT: I would like to ask what is the position of soldiers in places like Camp Borden where a military camp is their ordinary residence. Is their ordinary residence considered to be in the constituency in which Camp Borden is situated?

The WITNESS: The whole basis for residence of a member of the Forces is the statement which he files on enrolment and in which he indicates his

place of ordinary residence for voting purposes. If he is in Camp Borden, he can only apply his vote to the place of his ordinary residence which is indicated on his statement when he enrolled.

Mr. PALLETT: Or he can change it once a year.

The WITNESS: In December of any year. If he has moved from Camp Borden to, say, Vancouver with his family he can change his place of ordinary residence to the place where he has moved.

Mr. FRASER (*Peterborough*): May I ask a question? In the case of a local regiment in training at the time of an election, is a candidate entitled to have the names of those men?

The WITNESS: In a local election a candidate has the right to send an agent to the voting place in the service voting unit to represent him there. He can scrutinize the list. Normally a list is supplied to the deputy returning officer by the commanding officer of all members of the Canadian forces who are entitled to vote in the voting place for the unit.

Mr. FRASER (*Peterborough*): The candidate does not get the list until voting takes place?

The WITNESS: A week before ordinary polling day.

Mr. FRASER (*Peterborough*): He is entitled to a list at that time?

The WITNESS: He is not entitled to a list. He is entitled to examine the list. If there is a military establishment in your district, and a list is supplied by the scrutineer in the offices of the special returning officers to your party organization, it will be up to them to forward these lists to the interested candidates.

Mr. FRASER (*Peterborough*): In the case of a local unit, a voluntary unit—

The CHAIRMAN: You are speaking now of a reserve army unit, during the two weeks training period?

The WITNESS: That is a different matter. When a writ is issued ordering a general election and a reserve unit goes into summer camp each member must file a statement giving their place of ordinary residence for voting purposes. They are then permitted to vote through the service facilities and have their votes applied to their particular electoral district if they are in camp during the period of service voting. I understand that reserve units going to training camp usually leave home on Saturday or Sunday to be at the camp on the following Monday. There is no opportunity for them to vote at the service unit or return home and vote through the ordinary poll on that week-end. They leave their constituency on Saturday or Sunday to start their training on a Monday.

Mr. FRASER (*Peterborough*): If they were leaving on a Saturday would they not have an advanced poll?

The WITNESS: They could vote at an advance if there was an advance poll in their respective electoral district.

Mr. FRASER (*Peterborough*): Let us take as an illustration a training school in a certain locality which might have anywhere from 500 to 1,000 air force men in training. Is there a poll set apart in that station; and is there an enumeration which takes place beforehand?

The WITNESS: Do you mean a civilian or a service poll?

Mr. FRASER (*Peterborough*): What I am getting at is this: there may be comparatively few men in that station whose residence is in that constituency. Is it possible that the majority of them could register as being in that constituency. Is there an enumeration taken with respect to their place of residence? To take another angle, their wives, are also, perhaps, with them, and possibly living in quarters provided for them right on the air training station or perhaps in an adjoining community.

The WITNESS: There are two methods of taking a vote in a military unit. One is through service voting places established under the Canadian forces voting regulations, and in the case you mentioned the member of the Canadian forces can only apply his vote to one of the candidates of the electoral district which he has indicated on the statement of ordinary residence as his place of ordinary residence for voting purposes. If he happens to be in training at Halifax, he cannot vote at Halifax unless an address in Halifax appears on his statement of ordinary residence. As far as the wives and dependents are concerned, they fall under the ordinary qualifications of electors and the ordinary rules of residence for civilians would apply. If the wives and dependents were in residence there on the date of the writ, they are entitled to vote at the civilian poll established to take the votes of the wives and dependents who may be entitled to vote in that constituency if they have the ordinary qualifications of electors. It could conceivably be that their husbands would not be entitled to vote in that constituency because they had declared some other place of ordinary residence for voting purposes. The commanding officer of the military establishment has a list of the members of the Canadian forces of that military establishment prepared in accordance with the statements which they have completed and the members of the forces who have not shown on their statements of ordinary residence a place situated in the same electoral district in which the military establishment is also situated, cannot vote in the civilian polls established in the same electoral district. Now, it could be in an air force base where there are, let us say, one thousand members of the air force, there might be only two hundred airmen entitled to be enumerated on the civilian list of that poll. They also could vote either through the service facilities a week ahead of polling day, or on polling day itself in the civilian poll. They have a choice. The other 800 airmen could only vote through the mechanics of the regulations.

If a member of the Canadian forces happens to be physically present in the electoral district that he has declared as his place of ordinary residence for voting purposes he can choose whether to vote through the service facilities, during the week previous to polling day, or, at a civilian poll where his name appears on the list, but he cannot vote twice.

*By Mr. Hansell:*

Q. That explains a lot. The list is made up by the commanding officer, and it is done before enumeration.—A. No. The list is not made until after they issue the writ, whether it be a civilian or a service list. The commanding officer makes up that list and he wants to have as complete a list as possible. He will make it up before the service unit starts to vote, about a week or so before, in order that it will be more complete for the deputy returning officer of the service poll. In fact, it may be made up a week or ten days before the ordinary polling day. Service people may vote during a period of six days from Monday to Saturday, and on the following Monday you have ordinary polling day for civilian polls.

Q. Take the example of the enumerator going into an air force station, let us say, to enumerate for an election. Is it likely that he would get quite a number—perhaps nearly all of the air force personnel on his enumeration? —A. The enumeration takes place on the forty-ninth day before polling day; and during that period the enumerator would obtain from the commanding officer the names of the persons who are entitled to vote as civilians in that constituency in accordance with the statements which they have completed. Those statements are with the servicemen's documents.

Q. Before the enumerator goes in?—A. At the same time as the enumeration takes place, at any other place, between the forty-ninth and the forty-

fourth day before polling day, which is the period of enumeration. So he must obtain that information, whether for civilian or for service electors, between the forty-ninth and the forty-fourth day.

He would obtain during that period the names of the members of the Canadian forces who, in accordance with their statements, are entitled to vote as civilians in the electoral district in which that military establishment is situated.

Q. When I read the evidence perhaps I will then be able to get it all right.

The CHAIRMAN: Carried. Now will you please turn to your mimeographed sheets, page 1.

The WITNESS: It is the same clause.

The CHAIRMAN: You will see under paragraph number 2, clause (e) of paragraph 12 of the Regulations which says: "...said regulations is repealed and the following substituted therefore:..."

The WITNESS: You will notice in my draft bill that I have a clause (e) in order to implement the principle accepted by the committee of giving the wives the privilege to vote under the Canadian Forces Regulations. So there is a clause (e) which is an amendment for that purpose, and which incorporates my amendment which is in the draft bill. The committee would have to approve the one in the mimeographed bill in so far as clause (e) is concerned, but in my draft bill I have a clause (f) which I would also like to have approved.

Mr. DICKEY: Mr. Chairman, should I move as an amendment to clause 29 of the printed amendments that clause (e) be amended in accordance with paragraph 2 in the mimeographed amendments as submitted by the department of National Defence?

The CHAIRMAN: I think that is in order.

Mr. DICKEY: That does not affect clause (f)?

The CHAIRMAN: Mr. Dickey moves that clause (e) in the mimeographed bill be substituted for clause 2 (e) in the printed draft amendments. Are you ready for the question?

Carried.

Mr. NOWLAN: Clause (e) is submitted by the Chief Electoral Officer. It says: "the names, ranks, numbers and places of ordinary residents of Canadian forces electors..."; yet the draft amendment submitted by the department of National Defence simply says: "names, ranks, and numbers..."

The CHAIRMAN: No. That is under paragraph (e), Mr. Nowlan; two (e).

Mr. NOWLAN: I am sorry, I was looking at the explanatory notes.

The CHAIRMAN: Does the clause carry?

Carried.

The CHAIRMAN: Clause (f).

Mr. DICKEY: Mr. Chairman, I move passage of the clause as amended.

The CHAIRMAN: It has been moved by Mr. Dickey that the clause as amended carry?

Carried.

We will continue on page 1 of the mimeographed bill with paragraph number 3: "The said regulations are further amended by adding thereto immediately after paragraph 20 thereof the following paragraphs:..."

The WITNESS: We have clause 30 in the draft bill. I am sorry.

The CHAIRMAN: Clause 30? No change.

The WITNESS: I have some explanation to give. Under the provisions of paragraph 15 I am required to supply to the special returning officers a list of all the candidates in each constituency in Canada and their political affiliations. Now, the members of the committee know that nomination day in most electoral districts takes place on the fourteenth day before polling day, and that voting for the service begins on the following Monday which is the seventh day before polling day.

I ran into a problem at the last election—the same problem which my predecessor ran into to a lesser extent as there was no voting overseas in 1949—proving that insufficient time is now provided to gather that information.

We receive telegrams from each returning officer giving the names of the candidates and their political affiliations. From those telegrams I have to print this pamphlet. It contains the names of nine hundred different candidates. Telegrams begin to arrive in my office about five p.m. on Monday, and the information contained therein is set up for the printer by 1.00 o'clock the following morning. That is at one A.M. Tuesday morning; we stay at the Printing Bureau in order to get the proofs, and we manage to have them printed by about 5:00 a.m. Then these are sent out—these pamphlets—to the three special returning officers in Canada and are distributed by the special returning officers to the various units in their voting territories in order to assist the electors in voting.

Mr. MACDOUGALL: Did you say three special returning officers?

The WITNESS: Yes, for the three voting territories for the service vote. The problem is that overseas I have to send a cable to Korea and one to London, because that list must be available at the same time to the units in Japan, the United Kingdom, and in northwestern Europe. I sent a cable to Japan and in its transmission there were several mistakes, in the actual cable, such things as mistakes in names of candidates, and their political affiliations; some constituencies were dropped and did not appear at all.

I had sent to the special returning officers in Korea and in the United Kingdom lists about two weeks before nomination day a master list I had compiled from every source of information available to me, newspapers and everything else containing the names and political affiliations of all candidates then nominated. If it had not been for that master list, there would have been some very serious mistakes because the special returning officer in Korea had to telephone to me about several serious mistakes which he discovered when comparing the cable with the master list.

There was not enough time permitted to get out the lists. In Japan, one district was left out entirely in the cable, and two names of candidates were completely left out. Forty-five names of candidates were spelled wrongly, and in the printed list also in Japan there were some 50 mistakes. In Japan there were 64 mistakes in the political affiliations of the candidates.

In the United Kingdom and in northwestern Europe there were 377 mistakes in the cable, with respect to names, political affiliations, etc.; and in the printing,—there were 78 mistakes on the list, some serious and some not. It is not wholly the fault of the telegraph companies. Here is the Korean cable and it was sent about 1:00 a.m. on Tuesday after nomination day. When the special returning officer received it he had to get it printed and distributed before the following Monday and that hardly gave him any time to have it done correctly. The same problems arose in the U.K and Northwest Europe voting territory and also in Canada. Members may be interested in knowing the cost of these cables. The first pamphlet, printed in Canada, costs \$244.75. and was done by the Queen's Printer.

To send the cable to Japan and Korea the cost was \$1,600.78; and the cable to London cost \$1,100.34. So you see, they were rather expensive cables;

and the mistakes are such that a member of the Canadian forces may be placed in a position of voting for a candidate he did not intend to vote for, or he may not be in a position to vote for them at all because the names of the constituencies and candidates do not appear there at all. At the last general election this did not happen because of the precautions I took but I submit that a longer period should be provided for the Chief Electoral Officer to have these lists of candidates printed in Ottawa. I think we can control it if we have another week which would mean an extension of the period between nomination day and polling day from fourteen to twenty-one days.

There has been serious objection raised in the past to any extension of the period between nomination day and polling day on the ground that it would reduce the time for political groups in the country to choose candidates.

The election occupies a period of sixty days, and if you make nomination day the twenty-first day before polling day, you are cutting into the time of the political organizations and groups to choose candidates. That is the objection which has been raised in the past.

In 1945 there was a period of 28 days permitted in all electoral districts between nomination day and polling day and it seemed to work out satisfactorily. I do not recall hearing any serious objection about it. However, I would point out that this was the main objection which was raised to any such extension.

It is not possible for me to prepare and to gather information from returning officers, print these pamphlets, have them checked carefully and then have them distributed to the three special returning officers in Canada and for them to distribute them in turn to the voting units all in a period of six days. We have done it, but it has been so hurried that there have been mistakes. Therefore, I would submit that in order to have it done properly especially to the Forces overseas, and in order to provide proper information to the members of the Canadian forces, it would require a period of 21 days between nominations day and polling day.

This is the pamphlet which was printed in Ottawa and there are in it two or three mistakes, because we did not have the time to check it.

*By Mr. Nowlan:*

Q. You do not propose that the Act be changed?—A. Yes, but I am bringing this matter up under this clause because the problem arises in this clause; and if the committee will give me the time—here in clause 30 there is the paragraph of regulations dealing with it, and an amendment of the other sections of the Act would be consequential upon the approval of the committee to an extension in order to meet this problem. You would have to put 21 days in clause 30.

Q. We have already gone through the bill and we have not changed that in the bill itself.—A. The pertinent sections of the Act were allowed to stand until the matter had been given consideration in clause 30. I do not know of any other way to overcome this difficulty. Members will appreciate the fact that we receive 263 telegrams after nominations close; that is after two o'clock. They are not sent out until three o'clock, as candidates may make changes to their names on nomination day up until three o'clock. So the telegrams cannot leave until three o'clock.

According to the experience I personally had at the last three general elections, we have never been able to have the copy ready for the Queen's Printer much before one o'clock in the morning on the Tuesday following nomination day, and it has been a real dog fight to get it done. We have to telephone to some of the returning officers in the country to see if the information was correct in their telegrams; and all kinds of other problems arose. I am surprised that there have not been more mistakes in the lists of candidates.

*By Mr. MacDougall:*

Q. There should be no objection to the suggestion of the Chief Electoral Officer with respect to changing the time from the fourteenth day to the twenty-first day. In 1945 we had twenty-eight days and there were no complaints.

—A. Not that I am aware of; but at the last committee, in 1951, the committee approved the principle of providing twenty-eight days for certain remote northern constituencies. I recall that objections were raised by members in Committee and the House, to the effect that any extension in the period between nomination day and polling day would cut into the time of the political groups in the country to get candidates into the field.

How serious the objection is I am not in a position to assess. That is the one objection which I have heard, and I felt it to be my duty to bring it to the attention of the committee.

Q. It seems to me that the Chief Electoral Officer is definitely behind the eight ball as it is now, and if the committee wishes, we should try to get him out from behind the eighth ball. I think his suggestion is a very reasonable one, and I do not think that within Canada there is any great difficulty in changing it from fourteen to twenty-one days.—A. There is another problem, but one not related to this. At the last general election there were at least ten electoral districts where I had to have the ballot papers reprinted because of errors with respect to the spelling of the names of candidates, wrong addresses and occupations of the candidates. In some cases, the names, addresses and occupations of candidates did not appear on the ballot in the same manner as they were given in the nomination papers and consequently it was necessary to order the reprinting of these ballot papers. If a period of 21 days is allowed, I would feel less anxious with regard to any mistakes which might be discovered in the printing of the ballots. There would be more time in which to rectify those mistakes, and have the ballots reprinted. In one case which I recollect a mistake was discovered four days before polling day. It was an honest mistake, and we managed to get the ballot papers completely reprinted. If we had 21 days we would have a little more leeway in getting such mistakes rectified in connection with the printing of the civilian ballot papers. That is probably not directly relevant to this matter, but these problems do occur. It is very uncomfortable to hear on the Thursday before polling day that the ballot papers have not been properly printed.

Mr. FRASER (*Peterborough*): Are you sent a copy of these ballot papers? How do you find out that the mistake has been made?

The WITNESS: No. On that occasion it was discovered, I think, by the returning officer when he got the ballots back from the printer. In one case the error was discovered after the returning officer had delivered his ballot box and the deputy returning officer found it in examining the contents of the box. This proves that some deputy returning officers actually look at their papers. Errors have also been discovered by candidates who found their names were printed wrongly.

Mr. FRASER (*Peterborough*): Has the candidate the right then to look at the ballot papers ahead of time?

The WITNESS: I do not see any objection to it. There is nothing in the Act which prevents him from doing so.

Mr. FRASER: (*Peterborough*): I know. There is nothing in the Act about it.

The WITNESS: I have also had the experience of a newspaper in this country telephoning me and asking me whether the principle of alphabetical order with respect to the names of candidates had been changed in any way, and I said that it had not. As a result of this telephone call, I discovered that

the returning officer had inadvertently placed the names of the candidates on the ballot so that they were not in proper alphabetical order. We were able to have that mistake rectified.

Mr. FRASER (*Peterborough*): Then the returning officer let the newspaper reporter see the ballot papers.

The WITNESS: The newspaper in that case was printing the ballots.

Mr. DICKEY: I think there is no objection to this. I was just wondering whether by amending this regulation one we would have to go back and amend the Act, too.

The WITNESS: If this clause is carried we would have to refer back to clauses 8 and 9 of the draft bill.

The CHAIRMAN: Will clause 30 as amended carry?

Moved by Mr. MacDougall that the clause as amended carry.

Carried.

The CHAIRMAN: Now we come back to page 7 of the printed draft bill.

The WITNESS: The amendments on page 7 in clause 8 and clause 9 are consequential to the amendment carried to clause 30 which would not change the period of 28 days in the electoral districts now provided in schedule 4 of the Act, but where now a period of 14 days is provided it will be extended to 21 days.

Mr. DICKEY: I move that this be carried.

The CHAIRMAN: Shall this be carried?

Carried.

The CHAIRMAN: Is clause 31 as proposed by Mr. Dickey carried?

Carried.

Mr. DICKEY: I would like to move the amendments which are in paragraph 3, page 1 of the mimeographed amendments put forward by the Department of National Defence which would insert immediately after paragraph 20 a new paragraph 20(a) and immediately following that a new paragraph 20(b) which was set out in the mimeographed form. The explanation is simply that these amendments are required in order to bring into effect the extension of the voting privileges to the wives of servicemen.

Mr. NOWLAN: Just a moment. We have a copy of the regulations, we have two different sets of draft amendments and I cannot conceive of any more unsatisfactory way of doing this. We want to have time to read them, at least.

Mr. FRASER (*Peterborough*): In 20(b) on page 1 of the mimeographed draft it mentions here "Serving terms of imprisonment, detention and so on". On this 20(b), supposing a soldier is in prison would his wife be allowed to vote?

The WITNESS: I would say yes. This only applies to the service man himself.

Mr. FRASER (*Peterborough*): I thought I would bring that up because perhaps some of the officers overseas would say: "He is out, therefore she is out."

The WITNESS: I do not see how they could arrive at that conclusion.

Mr. FRASER (*Peterborough*): I could imagine something of that kind could happen.

Mr. DICKEY: This is clearly only intended to apply to service electors. The same disqualifications from voting as applies to the civilian electors under section 14 of the Elections Act, which of course does not affect the right to

vote of the wife or any other dependent. It simply makes sure that a service elector who is personally in the same position as an ordinary Canadian undergoing, for example, penal servitude, is not entitled to vote.

Mr. PALLETT: What is the purpose of this sub-paragraph (b)?

Mr. DICKEY: That, as I understand it, in case the wife of a service man is also a member of the services and entitled to vote in her right.

Captain DEWIS: What Mr. Dickey says explains the situation. It is possible for the wife to be herself a member of the forces.

Mr. DICKEY: If an R.C.A.F. officer had his wife with him and she was, for instance, a nursing sister, she would be entitled to vote in her own right as a service elector, and this is to prevent her from voting twice. I do not see why it should be there at all. You are going to give some electoral officer a problem of interpretation. I think the situation is covered in 20.

Captain DEWIS: As was indicated previously, these formulae were all prepared by the Department of Justice, and have been approved by them and they considered they should have this provision inserted in order that the wife of a service man would retain her right to vote under 20.

Mr. PALLETT: I do not accept that because this has been prepared in the Department of Justice that it is necessarily the best draftsmanship.

Mr. FRASER: They make mistakes, just as we all make mistakes.

Mr. PALLETT: I suggest to the committee that the provision is completely covered by the provisions of the Electoral Act which lay down that a person must not vote twice, and that this will cause some confusion because, of simple reading, it appears to disqualify. On the face of it it is a form of disqualification, and there may possibly be some confusion.

Captain DEWIS: I suggest if you take that out then the wife would fall under 20(a), and also under 20. If she falls under 20(a) she must complete form 79. If she falls under 20, she completes form 20, and they are entirely different statements. In the case of 20(a) is the place of ordinary residence by herself or by her husband.

Mr. PALLETT: Would not any person in the services have the same right, whether a man or a woman? She is in the services because she happens to be somebody's wife, you take that right away from her.

Captain DEWIS: If you take out subparagraph (d) she is a person described in 20(a). Also a person described in 20. Which category is she going to fall into if she is already in the forces and an elector in her own right.

Mr. PALLETT: Conceivably she could be a 1,000 miles away from her husband, too. So she should have election under 20(c) or (a).

Mr. DICKEY: The effect of this is to prevent this wife having two elections. It does not take anything away from her if she is entitled under section 20 as a Canadian forces elector then her rights are quite unaffected by the proposed amendment. But if subsection (d) were not in section 20(a) she would theoretically have a choice to register either under section 20 or under section 20(a), and that, I think, would certainly create confusion.

The CHAIRMAN: Is the proposed amendment carried?

Carried.

Mr. DICKEY: I think that in connection with page 24 of the printed draft amendment, clause 32, paragraph 4, page 2 of the National Defence Amendments is relevant to that, and I think should receive consideration along with the clause suggested by the chief electoral officer.

Mr. NOLAN: What is the difference between the two clauses—the one on the mimeographed draft and the one on page 24?

The WITNESS: With regard to page 24. During the last general election it was held that a member of the Canadian forces who had not filed a statement and had not voted through a service unit, could vote in the electoral district as a civilian elector where the military establishment was situated. The whole basis of these regulations was to prevent a whole military establishment to vote in one electoral district and the Department of Justice gave a ruling that if a member of the Canadian forces had not completed the statement of ordinary residence and had not voted in the service voting place, he could then vote in the electoral district in which he was serving provided of course he was qualified as a civilian elector in that district.

This amendment which I am proposing would clearly state that the place of ordinary residence of a member of the Canadian forces is that shown on his statement of ordinary residence, and that he could not vote in an electoral district in a civilian poll unless his place of ordinary residence as shown on the statement was situated in that electoral district. This should clarify the whole situation. I had instructed returning officers at the 1953 general election that these persons should not be enumerated unless they have filed their statement of ordinary residence.

Mr. NOWLAN: What is the difference between your suggested 32 and the suggested four.

The WITNESS: This would take in their wives. That would be the only difference.

The CHAIRMAN: Shall clause 32 as amended carry?

Moved by Mr. MacDougall that the amendment carry.

Carried.

The CHAIRMAN: Clause 4 of the mimeographed draft is carried. And now we are back on the printed draft, clause 33 on page 24.

The WITNESS: The only changes in that one is put in the words "commissioned officer" in place of the words "deputy returning officer". The deputy returning officer is only appointed after the writ is issued, and the member of the Canadian forces can complete his statement before a commissioned officer. That was an error of the statutory revision committee.

The reason for the amendment to subsection 4 is to enable a member of the Canadian forces who has not completed a statement of ordinary residence on enrolment or at any other time, to complete that statement in December of any year. There are some members of the forces who for some reason or another, have not filed a statement of ordinary residence on enrolment. This would enable them to complete and file such a statement in December of any year.

The CHAIRMAN: Is clause 33 as amended carried?

Carried.

Mr. NOWLAN: This 4(b)—if it is not filed it can be filed in December. 4(a). It allows him that opportunity. Has there been any change, and if so what are the circumstances?

The WITNESS: There have been no changes.

Mr. NOWLAN: There has to be a physical change of residence.

The WITNESS: Yes. A physical change of ordinary residence.

Mr. NOWLAN: It does not say so. But if ruled to that effect that is satisfactory. In the former regulations it says "During the month of December in any one year, and at no other time." Why have those words "at no other time" been dropped out?

The WITNESS: It is in the drafting. I do not know why. We could restore them.

Mr. NOLAN: Those words were in the old regulations. The regulations read at the moment: "A member of the regular forces may during the month of December and December of any one year and at no other time—" et cetera, and those words "at no other time" have apparently been dropped.

The WITNESS: It was said they were not necessary. It says "in the month of December in any year".

Mr. NOLAN: That raises somewhat the same point as was mentioned earlier. These words are being left out, and perhaps they are not being left out intentionally, but a court would say that parliament had left them out for some reason, and might take the view that the provision in the form in which it is now proposed was declaratory rather than mandatory. I would suggest that the words be put back in.

Mr. DICKEY: I would think, Mr. Chairman, that saying that during the month of December of any year a certain thing can be done surely means that it can only be done during the month of December.

Mr. NOLAN: That may be.

The CHAIRMAN: You have got the word "may" there. Perhaps it should be must.

Mr. NOLAN: Various constructions have been placed on the word "may". The fact remains that the section was different.

Mr. DICKEY: I think the reason is that they are using words which are exclusive of any other party.

Mr. NOLAN: It says here "may". That has been held to be mandatory at times, and at other times it has been held not to be. We may be back again to the same position as we were before where a court will say "If he does not register, too bad. He can vote wherever he likes." This could be interpreted in the same way especially, as I said, where we have changed it, even though we may have changed it inadvertently. I move that the words "at any other time" be inserted in that section. That is on page 24.

Mr. DICKEY: I think it should be "at any other time during the same year".

The CHAIRMAN: Are you agreeable to doing that?

Mr. NOLAN: I suggest that the chief electoral officer should consider the matter.

The WITNESS: I have no objection to it being restored to its former state. The addition of the words "At no other time" would seem to be sufficient to restore it.

Mr. DICKEY: You would not want to amend it in such a way that there would be no possibility of a member of the regular forces, having once changed his direction, because of a change in residence, being prevented forever from changing again.

The WITNESS: But it says "In any year".

Mr. DICKEY: It says "At no other time".

The CHAIRMAN: Is that agreeable?

Agreed.

The WITNESS: In 33 it will read now, as amended "at no other time". That is all we are doing in that amendment.

Mr. NOLAN: This is subsection 4. You have "In any year" in that now. We are restoring it to what it was.

The CHAIRMAN: Clause 34. Voting by Canadian forces electors.

The WITNESS: That is consequential to the amendment to 21. "As shown on the statement made by the elector before it was as defined in paragraph 2," We say, in this second amendment, "As shown on the statement."

The CHAIRMAN: That is quite clear, is it not?

Mr. FRASER (*Peterborough*): The service man has to have a special permit to vote?

The WITNESS: He must complete a statement. The statement is completed on enrolment. It is completed in duplicate, and one copy is kept at headquarters in Ottawa, and the other is put with his service documents. The service documents follow a member of the Canadian forces, and the commanding officer of the unit prepares a list of electors from that statement. That is the residence he must show on that list.

Mr. FRASER (*Peterborough*): Supposing he comes home on leave, and an election comes up. What proof has he got that he can vote in a riding where he is not enumerated?

The WITNESS: He does not have to produce proof. That is where there is a calculated risk in allowing a service man to vote, either as a civilian elector or through the armed forces which the committee has in the past accepted. If he is home for a sufficient time before the election, and continues to be there on polling day, he can be enumerated. If he is not enumerated, and he is at his place of residence, and he happens to live in a rural poll, all he has to do is to go through the vouching procedure. In an urban poll he must be on the list. Of course his family can put him on the list if they know he is coming home.

Mr. FRASER (*Peterborough*): That is why I mentioned this matter. In the last election some of the mothers telephoned me and said "John will be home on leave. Will you have him put on the list?"

The WITNESS: In the case of a single man I think it would be safe to put him on the list. He would give on his statement the residence of his parents in most cases.

Mr. NOWLAN: He could still vote in the service poll if he were on leave.

The WITNESS: That risk has been accepted by committees in the past.

Mr. NOWLAN: It is clear from the Department of National Defence regulations that anybody on leave who provides satisfactory evidence that he is on leave can vote anywhere in Canada, which I think is very good.

The CHAIRMAN: Is Clause 34 carried?

Mr. NOWLAN: There is no record in any way at these service polls of the men who have voted except when a political party has an agent there. I am thinking to use a concrete example to illustrate my point. For instance at Greenwood polling would take place for six days, and John Jones, a sergeant in the air force there, living in Hamilton votes in the service poll sometime during those six days. There is no record of John Jones having voted there other than the envelope put into the mail, and sent back to Halifax.

The WITNESS: Yes, the outer envelope serves the purpose of a poll book.

The CHAIRMAN: Is clause 34 carried?

Carried.

The CHAIRMAN: Clause 35, duties of liaison officer. This is on page 26 of the printed draft amendments.

The WITNESS: The only change there is to permit the liaison officer to deal with the deputy returning officer in addition to the commanding officer.

Mr. NOWLAN: That is the only change.

The WITNESS: Of substance.

Mr. NOWLAN: The word "immediately" was used before.

The WITNESS: It is now in the second line.

Mr. NOWLAN: The word "immediately" is a very loose word. I have known an interval of two weeks to occur between the issue of a writ and a validation coming out.

Mr. MACDOUGALL: There must be some skullduggery done in your district. I move that the clause be carried.

The CHAIRMAN: Moved by Mr. MacDougall that clause 35 carry.

Clause 35 carried.

The CHAIRMAN: Now we go to page 2 of the mimeographed draft amendments and clause 36 of the printed draft amendments.

The WITNESS: Paragraph 25 (1) of the printed amendments have been incorporated in 25 (1) of the defence amendments.

Mr. DICKEY: Perhaps the simplest way for me to do this would be to move clause 36 in the printed draft be amended by inserting after the word "unit" in line 34 thereof the words: "And to the wives of such electors who are Canadian forces electors as defined in paragraph 20 (a)." Those words are taken right out of the mimeographed amendment.

The CHAIRMAN: Mr. Dickey, there is a suggestion on the other hand that 25 (1) of the mimeographed draft be substituted for 25 (1) in the printed draft.

Mr. DICKEY: That is satisfactory to me.

The CHAIRMAN: Is that agreed.

Agreed.

Mr. DICKEY: That is consequential on bringing the wives in.

The CHAIRMAN: Is that carried?

Carried.

Mr. DICKEY: Perhaps the chief electoral officer may say something about the requirements under the change of the qualifications.

The WITNESS: I have nothing to add to what is stated in the explanatory note.

Mr. DICKEY: I move that clause 36 as amended carry.

The CHAIRMAN: We turn now to page 3 of the mimeographed brief.

Mr. NOWLAN: There is no question, Mr. Chairman, that all these amendments only apply to the wives who actually reside outside Canada?

The WITNESS: If you turn to page 1—clause (c) of 20 (a)—"Is residing with her husband when he is serving outside Canada". So only those are qualified to vote under these regulations.

Mr. NOWLAN: I know that is the intention. As long as that is clearly understood and you are going to enforce it, I am satisfied. "When residing outside the country"—that is a qualification which once having been established may continue and perhaps should be more specifically limited only to residence abroad. Is there any comment on that Captain Dewis?

The CHAIRMAN: Now we turn to page 3 of the mimeographed draft amendments. Clause 6, paragraph 26 of the regulations is repealed, and the following is substituted therefor.

The WITNESS: That is for wives only, and it is to implement the provisions with regard to wives of servicemen.

Mr. DICKEY: I see. It is consequential on the extension of the voting privilege to wives. I so move.

The CHAIRMAN: Is that amendment carried?

Carried.

The CHAIRMAN: Follow down the same page on the mimeographed sheet to clause 7. Paragraph 27 of the regulations is repealed, and the following substituted therefore, dealing with Canadian forces electors in hospitals. I have an amendment at page 27 in the printed bill. Will someone move that the amendment at clause 7 of the mimeographed bill be substituted.

Mr. MACDOUGALL: I move to that effect.

The CHAIRMAN: Moved by Mr. MacDougall that clause 7 of the mimeographed sheet be submitted for clause 37 in the printed draft amendment. Is that agreed?

Carried.

The CHAIRMAN: Clause 38 in the printed draft amendment, page 27 in the printed draft amendment. Distribution of supplies by commanding officer. Shall we carry this now?

Carried.

The CHAIRMAN: Clause 8 of the mimeographed draft on page 3.

Mr. MACDOUGALL: This clause would provide that only a member of the Canadian forces who is a Canadian forces elector could act as a deputy returning officer for the taking of the votes of Canadian forces electors. Was there not at one time or another some objection to that? How are you going to get over the difficulty which would arise if there were no qualified elector present other than a member of the armed forces?

The WITNESS: I think the last time the committee dealt with this the only person who could act as a deputy returning officer in a services voting place was a commissioned officer, and in 1951 it was changed so that any member of the Canadian forces would be qualified.

Mr. DICKEY: The only purpose of this amendment is to make it impossible for the wives of Canadian forces electors to act.

The CHAIRMAN: Is this agreed to?

Agreed.

The CHAIRMAN: Clause 39 is carried.

Clause 8.

Clause 9.

The CHAIRMAN: Turn to page 4 in your mimeographed sheet.

Mr. NOLAN: What is the effect of that?

Captain DEWIS: As the regulations presently stand, any person who is qualified to vote at a civilian election in Canada, can act as a scrutineer for a political group in a service voting place. That includes service men. As Mr. Castonguay pointed out before, if a service man happens to be in the place of his ordinary residence, he is qualified to vote as a civilian elector, and that would mean he could act as a scrutineer. From the point of view of national defence, it has always been considered desirable that service personnel should engage in political activities other, of course, than voting. Anyone who wants to act as a scrutineer merely signs a declaration himself stating he desires to act as a scrutineer. He hands this declaration to the returning officer, and that is it. He may not in fact be representing any political group, and we have no way of checking to find out whether he is or not. Under this bill he would be required to have a certificate signed by an official candidate in an electoral district saying he was authorized to act as a scrutineer at the poll on behalf of a particular political group.

Another change we are making is this. Previously a scrutineer, in order to be able to act as a scrutineer had to be on a list in Canada. In the case of polling in the United Kingdom or in some place outside Canada, even in the

United States, a Canadian citizen might not be working there. He would still be a Canadian citizen, but he would not be on a polling list. Under this amendment he can act as a scrutineer at a service voting place.

Mr. DICKEY: At the written request of a candidate.

The WITNESS: That is right, and I think it would be possible for the wife of a service man also to act as a scrutineer provided that she was not a member of the forces herself.

Mr. NOWLAN: I think the amendment is perfectly proper. I do not think it is advisable to get service personnel to act as political scrutineers. I see this is limited to "Any Canadian citizens". I would prefer to see "Any person other than a member of the armed forces" because I have in my own constituency for instance—you may not approve of it, but there it is—people who have been living there for many years who are American citizens, but for one reason or another they do not want to take out Canadian citizenship. If a party wanted to be represented in a poll in Great Britain, a services poll, it might be difficult to find a Canadian citizen to represent them, and I would think if the words "any person" rather than "any Canadian" were inserted it would meet the requirements of the department and might save some trouble. To give another example, there are people who have gone to the United States and become naturalized and then returned. They might still be interested in one political party or another, and they might be asked to act as scrutineers.

Captain DEWIS: I do not think the Department of National Defence will have any objection to that. We put in "Canadian citizens" because we thought it would be desirable to limit this to someone who has some connection with Canada.

Mr. NOWLAN: I was just wondering if something could be done to meet the circumstances which I have mentioned.

Captain DEWIS: We put in "Canadian citizens" advisedly, but I feel sure the Department of National Defence has no objection if the committee feels that "any person" would be an improvement.

Mr. DICKEY: I think we are extending this to some extent now, Mr. Chairman, by making it "Any Canadian citizen" rather than requiring such a citizen to be on the voter's list for a particular election in Canada, and perhaps we should let this go and see how it works. If the experience of its operation indicates that it would be desirable, we could put it in at a later date.

Mr. NOWLAN: That is satisfactory to me.

The CHAIRMAN: Can we carry this now?

Captain DEWIS: You know we have in here "political party". I believe that should be "political group" because in paragraphs 9 and 49 of the present regulations, political groups are referred to rather than political parties. I think the different electoral officers want to use the word "group" rather than the word "party".

The CHAIRMAN: Is that agreed?

Agreed.

Mr. DICKEY: I move that as an amendment.

The CHAIRMAN: Page 27 of the printed draft amendment at page 4 of the mimeographed draft. Clause 39. Clause 10 of the mimeographed sheet.

Mr. NOWLAN: What is the difference between the two?

The WITNESS: I have an explanatory note on page 27. The reason given for my recommendation is set out there.

The CHAIRMAN: That is on page 27, under explanatory notes.

Mr. NOWLAN: What was the difference between the printed copy and that of the Department of National Defence?

Captain DEWIS: In view of the fact that we have got a new clause 20(a) we are merely providing the same voting procedure in the services voting places for the wives as for the husbands.

Mr. NOWLAN: Otherwise your draft is the same as Mr. Castonguay's?

Captain DEWIS: That is right.

Mr. NOWLAN: What about that provision toward the bottom of the page, that the Canadian forces elector shall be required to make a declaration containing "the name of the place in Canada with street address if any of his ordinary residence as shown on the statement made by him and paragraph 22, or if no such statement appears to have been made, he shall subscribe to a statement." Does that not leave it wide open for him to complete the statement on election day?

The WITNESS: This amendment was passed before the last general election because there were many members of the Canadian forces at that time who had not filed statements of ordinary residence, and an amendment was passed in the Defence Act, I believe, permitting members of the Canadian forces who had not completed statements of ordinary residence to complete them within a certain time after this Act came into force or to complete those statements before voting. But they could only indicate on their statements of ordinary residence their place of ordinary residence prior to enlistment. That was why that was passed in 1953.

Mr. NOWLAN: We are familiar with that problem. Those members who were not on the committee before are not familiar with it, but those who were members when we spent two years working on this problem will know that we established a "cut-off" date for the completion of these forms. It was found that just prior to last election, for various reasons, a large number of service men had not completed these forms, and we had a special amendment in order to correct that situation. A substantial number of people, about 20,000 I believe, were involved. Since then all the forms have been completed and it seems rather ridiculous to put in a "cut-off" date and say it can be done every December and yet leave the thing wide open, and say that they can complete these forms on election day. I do not think those words should be there now. That was a special situation and it was certainly the intention at that time, and it was understood that it was to apply only to the last election in 1953. That was the definite understanding we had. I know because Hon. Mr. Campney, Hon. Mr. Harris and myself were on the committee, and we worked out this amendment to deal with that general election.

The WITNESS: If the member of the Canadian forces had not completed a statement before the writ was issued, or in December, he would not be able to vote if those words were removed.

Mr. NOWLAN: It is the same way as no one else can vote if his name is not on an urban list. It is the same situation.

Captain DEWIS: The other provision made in this refers to the place of residence. In completing that statement they had a choice of three places of ordinary residence—where they were then serving or residing at that time, or that of any relation or next of kin. The regulation now provides under 33 that if he has not completed a statement he has only one place of ordinary residence, that is to say the place where he was residing immediately before enlistment, and this specifies that.

Mr. NOWLAN: It means that he has only one place of ordinary residence. He has not got a choice.

Mr. DEWIS: We have administrative provisions that a statement should be completed on enrolment, and everybody is supposed to do that, but we have recently made a check and we find that about 10 per cent of the new entrants for some reason or another do not complete these statements which would be that a fairly substantial number of prospective Canadian electors would not be able to vote at a general election.

Mr. NOWLAN: What means are available in the voting booth to determine whether a service man is filling out the form properly.

Captain DEWIS: The unit, of course, has documents. It would be possible to get a pretty fair idea, going through the documents, of where a service man comes from. You might not be able to get absolute proof, but there is provision of course for his being challenged if there is any doubt about that being his ordinary place of residence. He could be required to state under oath that that is his place of ordinary residence, and if he makes that statement under oath he is entitled to get a balance.

Mr. NOWLAN: That puts an additional load on whoever is acting as deputy returning officer.

Captain DEWIS: Yes, it does. There will have to be another stack of papers to complete, but we have not had any objection from the services, and it seems they can handle it.

Mr. NOWLAN: I think they were well run last time.

Captain DEWIS: Thank you.

The CHAIRMAN: Mr. Dechene moves that clause 10 of the mimeographed draft be substituted for clause 39.

Mr. NOWLAN: Would this not be possible from an administrative standpoint? Under the regulations the commanding officer is supposed to prepare a list as we have seen this morning, setting forth the names and the addresses and places of ordinary residence of the personnel serving under his command, and that list is made available to the candidates in certain circumstances. But that list would not contain the names of perhaps 10 per cent who have not completed that form. Would it not be possible to have the commanding officer prepare that list so that it would not only show the names and numbers and place of ordinary residence of all those who have completed the form and also to show the names of those who have not filled them in so that we would know whether there was likely to be 10, 20 or perhaps 500 coming in on election day and who would need this special form. It would seem to be a simple thing to make up the whole list in that way.

Captain DEWIS: I do not see any reason why that could not be done. These lists I am talking about are not accurate by any means. They are prepared up to three weeks before the actual vote is taken, and if there is any draft of men in or out they are not on the list and there is no way of covering them. But I do not see any reason why the list should not be prepared along the lines suggested. They have to go through every man's documents to see if he has a form.

Mr. NOWLAN: Would it be fair to ask Captain Dewis to consider an amendment to that section, and bring in the amendment later to provide for this?

The CHAIRMAN: I think that is acceptable to the committee. Those in favour?

Agreed.

The CHAIRMAN: Clause 39 in the printed draft amendment subsection 2 on page 28. Is that carried?

Carried.

The CHAIRMAN: We are on page 28 of the printed draft amendments, clause 40.

Mr. NOWLAN: What is the difference there?

The WITNESS: I think at the last election the section read "postal facilities" and the person in charge of the postal services of the armed forces insisted that outer envelopes had to be sent by mail in order to comply with the statute. We had a situation in France during the strike in 1953 when 200 envelopes had to be sent by mail, when they could have been flown to London. These 200 envelopes were delayed in the mail due to the French strike because they had to be sent by postal facilities according to the regulations. This would mean they could be sent by any other method.

The CHAIRMAN: Can clause 40 be carried?

Carried.

Mr. DICKEY: Did we deal with paragraph 11?

The CHAIRMAN: No. We are going to revert to that. Now we are on page 5 of the mimeographed draft.

Mr. NOWLAN: What is the difference here?

Captain DEWIS: 34. Paragraph 34. This incorporates the new form 7(a) which is applicable to the wives. It is mostly consequential.

The CHAIRMAN: Is that clause carried?

Carried.

The CHAIRMAN: Clause 41. We are back on the printed draft bill at page 28. I also refer members of the committee to page 5 of the mimeographed draft, clause 12. Voting by Canadian forces electors on duty, leave or furlough.

Mr. NOWLAN: What is the change in that?

The WITNESS: To tie his residence down to his statements that he will only be able to vote as a civilian elector at such place of ordinary residence. It also brings in the wives.

Mr. DICKEY: How does it affect or fit in with that clause 41 of the printed bill.

The CHAIRMAN: You can move the adoption of both if you wish.

Mr. DICKEY: I so move.

The CHAIRMAN: Moved by Mr. Dickey, the adoption of 12 in the printed sheet and 41 in the mimeographed draft.

Mr. NOWLAN: They are identical?

Captain DEWIS: As far as the National Defence amendment is concerned, in clause 12, on page 5 it merely permits the wife who is a Canadian forces elector to vote where he (her husband?) can vote.

The CHAIRMAN: Clause 42. This is on page 29 of the printed draft.

Is clause 42 carried?

Carried.

Clause 43. The application of certain paragraphs and forms.

Clauses 14 and 18 only deal with members of the Canadian forces, so we had to amend it.

The CHAIRMAN: Turn to page 5 of the mimeographed draft. Clause 17.

Captain DEWIS: That merely makes reference to the form in respect to the statement of ordinary residence in respect to the wife.

The CHAIRMAN: You will also find in your printed draft amendments clause 44 which also applies here, and which should be dealt with on the same motion.

Mr. DICKEY: I move that both be carried.

Carried.

The CHAIRMAN: Clause 45 of the printed draft amendment.

The WITNESS: This is to make the change from "deputy returning officer" to "commissioned officer".

The CHAIRMAN: Is 45 carried?  
Carried.

The CHAIRMAN: On page 5 of the mimeographed bill. Form number 5.

Mr. NOLAN: That is simply to include the wives?

Captain DEWIS: It merely makes reference to the fact that wives of Canadian forces electors residing with their husbands outside Canada may vote. If he was inside Canada, those words would be struck out.

The CHAIRMAN: Mr. Lefrancois moves. Is this agreed?  
Agreed.

The CHAIRMAN: Turn to page 6 of the mimeographed sheet. Form number 7.

Captain DEWIS: This makes it clear that form number 7 is only applicable to a member of the forces who is a Canadian forces elector. We have the wives and husbands completing the same form.

Mr. DICKEY: I move the adoption of clause 15 in the mimeographed amendments, and also clause 45 on page 30 of the printed amendments.

The CHAIRMAN: Is that agreed?  
Agreed.

Mr. DICKEY: I also move the adoption of clause 16 of the mimeographed amendment which creates the new form 7(a) required in order to deal with the wives of service men.

The CHAIRMAN: The next item is clause 7 of the mimeographed draft.

Mr. DICKEY: I move that clause 17 as contained in the mimeographed amendments be substituted for subclause 1 of clause 47 in the printed amendments.

The CHAIRMAN: Are you ready for the question?  
Agreed.

Mr. DICKEY: I now move that clause 47 as amended carry?  
Carried.

The CHAIRMAN: We come now to form number 10 found on the mimeographed draft on page 7.

Captain DEWIS: Mr. Chairman, if I may suggest this on that amendment—you notice "political party" is in the heading. I suggest we use the word "group" in order to be uniform with the rest of the regulation. At the end of the form we also have the word "candidate". I would suggest that there, too, he should identify himself as to the electoral district where he is running.

Mr. DICKEY: I move clause 16 of the mimeographed bill be amended to substitute the word "group" for the words "political party" where it appears in the heading, and that it be further amended by putting after the word "candidate" in the last line, the words "for the electoral district of".

Captain DEWIS: I notice that "party" appears again in the middle of the form. Mr. Dickey limited his amendment to the heading.

Mr. DICKEY: It appears in the heading and again in the form. I move the clause be further amended by deleting the word "party" in paragraph 2 of the form and substituting the word "group".

The CHAIRMAN: Are we agreed?  
Agreed.

Mr. DICKEY: I move that the clause be adopted as amended.

The CHAIRMAN: Is that carried?

Carried.

The CHAIRMAN: On page 8 of the mimeographed draft. Form number 14.

Mr. NOWLAN: Is there any comment on this?

Captain DEWIS: If a voter is challenged by a scrutineer or deputy returning officer, he is required to make an affidavit under oath that that is his place of ordinary residence.

Mr. DICKEY: I move the adoption of clause 14.

The CHAIRMAN: Moved by Mr. Dickey that that be adopted, is that agreed? Agreed.

The CHAIRMAN: Clause 49, page 32 of the printed draft.

The WITNESS: The amendments on forms 15, 16, 17 and 18 are all remedial. The statute revision committee has put in the words "deputy returning officer" when the words should have been "commissioned officer".

Mr. DICKEY: And there is also added the words "and province".

Mr. DICKEY: I move that forms 15, 16, 17 and 18 be agreed to.

The CHAIRMAN: Are you ready for the question?

Agreed.

Mr. DICKEY: My impression is that we did not deal with clause 1 of the mimeographed bill. It simply applies to the outer envelope.

The CHAIRMAN: That is right. That is on page one of the mimeographed draft amendment, dealing with outer envelopes.

Mr. DICKEY: It simply brings in form 7(a) which already has been adopted.

The CHAIRMAN: Has Captain Dewis anything more to say on that?

Captain DEWIS: No, I don't think so.

Mr. PALLETT: Possibly some consideration came up here, as in some other returns, of transmission by mail or otherwise.

The WITNESS: That is not where the operative part of that comes in. It comes in in the actual voting under 35(1). That is just the definition of the outer envelope. In this case subsection J.

The CHAIRMAN: Mr. Lefrancois moves the adoption of this amendment. Is that agreed to?

Agreed.

The CHAIRMAN: Members of the committee know that we have a meeting slated for this afternoon, but due to the extreme shortage of reporters, we have to cancel our meeting. If it is agreeable to the committee we shall meet tomorrow at 10.30.

Mr. NOWLAN: What will we deal with then?

The CHAIRMAN: Sections 14 and 16. Is that agreeable to the committee?

Mr. NOWLAN: When do we meet tomorrow.

The CHAIRMAN: I gather there may be some difficulty in securing quarters. How about leaving it to the call of the chair.

Hon. MEMBERS: To the call of the chair.

The CHAIRMAN: Is that agreed?

Agreed.

The committee adjourned.